REMARKS

By this amendment claims 1-3 and 5 have been amended. Claims 1-5 remain in the application. Applicant reserves the right to pursue the original claims and other claims in this and other applications.

Claims 1 and 4 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Mochizuki (US 6,097,814) in view of Tognazzini (US 6,600,713). This rejection is respectfully traversed.

Claim 1 recites an optical recording medium wherein "updated software is stored in said memory device of said computer, then said stored updated software is further stored in said optical recording medium." (Emphasis added.) As noted in the Office Action, Mochizuki does not teach or suggest such a limitation. Nor does Tognazzini teach or suggest this limitation. Tognazzini further teaches "information could be downloaded to the CD-ROM through an information processing system such as a computer." Col. 5, ln. 15-17. The updated software is not first stored in a memory device of a computer, and then stored on the optical recording medium. The advantage of having the software stored in the memory device of a computer is to avoid problems associated with interrupted downloads, and to both increase the speed of and thereby save power during the process of recording the updated software to the optical recording medium if the software is pre-stored in the computer in usable portions. Tognazzini's passing the information through a computer does not teach or suggest storing the updated software as a unit before writing to the optical recording medium.

Tognazzini further teaches "CPU 400 then causes the inputs or monitored information to be transferred from RAM 410B to read/write part 102 of disk 100 (step S506)." Col. 6, ln. 12-14. The monitored information is pre-recorded on the disk (Col. 6, ln. 4-7), and therefore does not read on "updated software." The inputs also do not

read on "updated software," since they are generated by a user "indicating a preferred customization for the reading of information pre-recorded in the read-only part 101 of the disk" (Col. 5, ln. 62-65; emphasis added), and are not, therefore, updated software. As such, the limitation wherein "updated software is stored first in ... said computer, and subsequently in said optical recording medium" is not taught or suggested by Mochizuki or Tognazzini. Since Mochizuki and Tognazzini do not teach or suggest all the limitations of claim 1, claim 1 and dependent claim 4 are not obvious over the cited references. Applicant respectfully requests that the 35 U.S.C. § 103(a) rejection of these claims be withdrawn.

Claims 2, 3, and 5 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Mochizuki in view of Tognazzini in view of Shaw (US 6,381,741). This rejection is respectfully traversed.

As discussed above regarding the patentability of claim 1, claim 2, as amended, and claims 3 and 5 also recite, *inter alia*, "updated software is stored in said memory device of said computer, then said stored updated software is further stored in said optical recording medium." (Emphasis added.) None of Mochizuki, Tognazzini, or Shaw teaches or suggests this limitation. Since Mochizuki, Tognazzini, and Shaw do not teach or suggest all the limitations of claims 2-3 and 5, claims 2-3 and 5 are not obvious over the cited references. Applicant respectfully requests that the 35 U.S.C. § 103(a) rejection of these claims be withdrawn.

In view of the above amendment, Applicant believes the pending application is in condition for allowance.

Dated: September 20, 2005

Respectfully submitted,

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